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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/389,567	09/03/1999	JAY BRUCE ROSS	OGPT-24727	5576
25883	7590	04/11/2005	EXAMINER	
HOWISON & ARNOTT, L.L.P. P.O. BOX 741715 DALLAS, TX 75374-1715			ELLIS, RICHARD L	
			ART UNIT	PAPER NUMBER
			2183	

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/389,567

Applicant(s)

ROSS ET AL.

Examiner

Richard Ellis

Art Unit

2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 35-46 are newly presented for examination.
2. The text of those sections of Title 35, US Code not included in this action can be found in a prior Office Action.
3. Claims 35-46 are rejected under 35 USC 102(b) as being clearly anticipated by Carter et al., U.S. Patent 4,706,216.

Carter et al. taught (e.g. see figs. 3a-3d) the invention as claimed (as per claim 35 and 41), including a data processing ("DP") system comprising:

- 3.1. a bit stream processor (fig. 3a or 3b) comprising;
- 3.2. a memory (fig. 3A, "16 BIT RAM" or fig. 3B "16 SELECT BITS") having one or more inputs (fig. 3A, A, B, C, D or fig. 3B, A, B, C, D) for receiving respective input bit streams (col. 4 lines 39-44), said input bit streams of said one or more inputs defining a sequence of input combinations to said memory (fig. 3C, AB, CD);
- 3.3. an opcode input of said memory (not shown, but inherently present in order to program the memory, col. 4 lines 49-63) for inputting a selected opcode (fig. 3C, the contents of the 4x4 set of squares is the "opcode"), which said selected opcode is composed of all possible results of a logical function operating on an input combination (col. 4 lines 64-66 or col. 5 lines 11-12);
- 3.4. an output of said memory (fig. 3A, OUT or fig. 3B, OUT) for outputting an output bit stream (col. 4 lines 44-47);
- 3.5. wherein each input combination (AB CD) addresses a bit (col. 4 lines 44-46) of the selected opcode (fig. 3C) in the memory ("16 BIT RAM" or "16 SELECT BITS") to generate an output bit (fig. 3A, OUT, fig. 3B, OUT).
4. As to claims 36 and 42, Carter et al. taught that the memory was a bit-addressable memory (col. 4 lines 44-49) where each said input combination of said sequence of input combinations (AB CD) is mapped to a unique bit location in said memory (col. 4 lines 40-46).
5. As to claims 37 and 43, Carter et al. taught that the memory comprised binary memory devised that could be individually and selectively read (col. 4 lines 38-40 and 44-46).

6. As to claims 38 and 45, Carter et al. taught that the logical function was a function of one or more boolean operations (col. 4 lines 64-66 or col. 5 lines 11-12).
7. As to claims 39 and 46, Carter et al. taught that each of said one or more inputs accomodates a serial bit stream (col. 4 lines 39-44).
8. As to claim 40, Carter et al. taught that the opcode was composed of the results of a logical function defined by a predetermined set of boolean operations (col. 4 lines 49-54 and 64-66).
9. As to claim 44, Carter et al. taught that the sequence of input combinations formed a sequence of memory addresses (fig. 3A, A, B, C, D, col. 4 lines 39-46).
10. Applicant's arguments with respect to new claims 35-46 have been considered but are deemed to be moot in view of the new grounds of rejection.
11. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR § 1.136(a).


A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CFR § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Ellis whose telephone number is (571) 272-4165. The Examiner can normally be reached on Monday through Thursday from 7am to 5pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eddie Chan, can be reached on (571) 272-4162. The fax phone number for the USPTO is: (703)872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Richard Ellis
April 6, 2005


RICHARD L. ELLIS
PRIMARY EXAMINER